

REMARKS

Applicants respectfully traverse and request reconsideration.

Claim Amendments

Claims 12-13, 15-16, 18, 24-25 and 29 have been rewritten in independent form to contain all of the limitations of their respective base claims; no intervening claims were previously presented. In amending claims 24-25 and 29, Applicants further corrected a typographical error in previously-presented claim 20. Specifically, Applicants removed the preposition “of” in the phrase “wherein the graphics data stream of includes ...”. Claims 36 and 37 have also been amended to correct typographical errors. Claims 1-11, 14, 17, 19-23, 26-28 and 30 have been cancelled. Applicants submit that no new matter has been added.

Applicants respectfully submit that the Examiner previously held claims 12-13 and 24-25 to be objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. (Final Office action mailed August 25, 2004 (“Final Office action”), p. 9; Examiner’s Answer Before the Board of Patent Appeals and Interferences (“BPAI”) mailed August 29, 2005 (“Examiner’s Answer”), p. 2, acknowledging the status of claims as set forth by Applicants in Applicants’ Appeal Brief filed March 25, 2005; BPAI Decision in *Ex parte* Callaway *et al.* decided February 27, 2007 (“BPAI Decision”), p. 2, stating that “The Examiner objected to claims 12, 13, 24 and 25 as allowable but dependent on rejected claims.”).

In their Appeal Brief before the BPAI, Applicants separately argued claims 15-such that claims 15-16 stood or fell independently of other rejected claims. (Appeal Brief, p. 21-22). The Examiner withdrew the rejection of claims 15-16 in the Examiner’s Answer and acknowledged that “Applicants’ arguments have been persuasive.” (Examiner’s Answer, p. 11). The BPAI

Decision acknowledged the Examiner's withdrawal of the rejections to claims 15-16. (BPAI Decision, p. 2).

In their Appeal Brief before the BPAI, Applicants separately argued claims 18 and 29 such that claims 18 and 29 stood or fell independently of other rejected claims. (Appeal Brief, p. 22-23). The BPAI Decision reversed the Examiner's rejection with respect to these claims by stating that "On this record, claims 18 and 29 have not been shown to be unpatentable." (BPAI, Second Erratum decided May 2, 2007, p. 2).

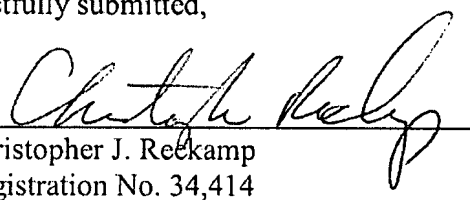
The Examiner, prior to Applicants' appeal to the BPAI, held claims 31-37 to be allowed. (Final Office action, p. 2 and 9; Supplemental Advisory Action mailed January 31, 2005, cover sheet § 7).

In accordance with 37 C.F.R. § 1.198 and MPEP § 1214.07, Applicants hereby submit this Request for Continued Examination and preliminary amendment. The preliminary amendment obviously places the application in condition for allowance because: (1) the Examiner previously held claims 12-13 and 24-25 to be allowable in the Final Office action prior to decision by the BPAI; (2) the Examiner previously withdrew the rejection to claims 15 and 16 in the Examiner's Answer prior to decision by the BPAI; (3) the BPAI did not adjudicate the allowability of claims 12-13, 15-16 and 24-25; (4) the BPAI held claims 18 and 29 to be not unpatentable on the record before it; and (5) the amendment cancels all other pending claims.

Accordingly, Applicants respectfully submit that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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